



Practitioner's Docket No.: 789_118 CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re the application of:

Yukihisa TAKEUCHI, Tsutomu NANATAKI, Iwao
OHWADA and Takayoshi AKAO

Ser. No.: 10/730,754

Group Art Unit: 2879

Filed: December 8, 2003

Examiner: Guharay, Karabi

Confirmation No.: 4467

For: ELECTRON EMITTER

M.S. Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** on February 23, 2006 under "EXPRESS MAIL" mailing label number **EV 373084512 US**.

Gina M. Husak

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING
REJECTION OVER PENDING SECOND APPLICATIONS**

Sir:

Your petitioner, NGK Insulators, Ltd., residing at 2-56 Suda-cho, Mizuno-ku, Nagoya, Aichi-prefecture, Japan 467-8530, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Ser. No. 10/730,754, filed December 8, 2003.

Except as provided below, petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on the following pending second applications: U.S. Patent Application Serial Nos. 10/877,517, 10/950,976 and 10/901,932; the term being defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on any of said pending second applications. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patents granted on said pending second applications, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantees, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of

the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patents granted on said pending second applications, as presently shortened by any terminal disclaimer filed prior to the patent grant, in the event that any of said patents later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the petitioner identified above.

The undersigned is an attorney of record.

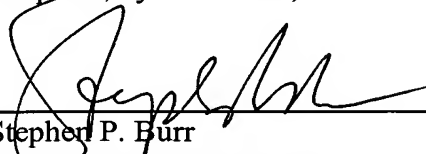
FEE STATUS
(37 C.F.R. § 1.20(d))

<input checked="" type="checkbox"/>	Other than a small entity	\$130.00
<input type="checkbox"/>	Small entity	\$ 65.00

FEE PAYMENT

☒ Attached is a check in the sum of \$ 130.00.
☒ Charge Account 50-1446 for any fee deficiency.
☐ Charge Deposit Account _____ the sum of \$ _____ and for any fee deficiency that may be due. A duplicate of this disclaimer is attached.

Respectfully submitted,



Stephen P. Burr
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Reg. No. 32,970

February 23, 2006
Date

SPB/JAW/gmh

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